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Appl. No. 10/776,659
Amdt. dated November 29, 2006
Reply to Office Action of September 5, 2006

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Remarks

The present amendment responds to the Official Action dated September 5, 2006. The Official Action rejected claims 15-20 under 35 U.S.C. § 101 as directed to non-statutory subject matter. Claims 1-20 were rejected under 35 U.S.C. § 103(a) based on O'Neill et al. U.S. Patent Application Publication No. 2003/0046404 (O'Neill) in view of Novetzke et al. U.S. Patent Application Publication No. 2003/0120800 (Novetzke). These grounds of rejection are addressed below. Claims 1, 8, and 15 have been amended to be more clear and distinct. Claims 1-20 are presently pending.

Specification Objections

The paragraph beginning at page 8, line 3 has been rewritten to remove the hyperlink references and replace them with the appropriate reference as provided by the Internet Engineering Task Force (IETF).

The Abstract has been amended to use language that is clear and concise, and to remove use of legal phraseology as recommended by the Official Action.

Section 101 Rejection

Claim 15 has been amended to clearly indicate the medium is a storage medium as recommended by the Official Action.

Appl. No. 10/776,659
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The Art Rejections

As addressed in greater detail below, O'Neill and Novetzke do not support the Official Action's reading of them and the rejections based thereupon should be reconsidered and withdrawn. Further, the Applicant does not acquiesce in the analysis of O'Neill and Novetzke made by the Official Action and respectfully traverses the Official Action's analysis underlying its rejections.

O'Neill addresses processing of control messages in a communication network for communicating between user systems. O'Neill's communication network consists of a plurality of network domains each having one or more user systems. Each network domain is also connected to the Internet and control messages are constructed with a communication control protocol. O'Neill, paragraph [0001], Fig. 4, and paragraph [0054]. The Official Action suggests that the server of claim 1 of the present invention is met by O'Neill's SIP server program 206. However, "a typical SIP user agent 200 comprises ... a graphical user interface (GUI) 202, a SIP client program 204, a SIP server program 206," and other SIP user agent elements. O'Neill, paragraph [0047]. A SIP user agent is defined as "an end-system that allows a user to participate in a session. A SIP user agent contains both a user agent client and a user agent server." Such "end-system" user agents are illustrated in O'Neill's Fig. 4 which identifies each network domain as comprising "a plurality of SIP user agents 200(a-g)". O'Neill, paragraphs [0003] and [0054]. O'Neill's SIP server program 206 is not "a server supporting communications with a client conforming to session initiation protocol, said client capable of communications with a plurality of servers" as claimed in amended claim 1 of the present invention. Further, O'Neill does not

Appl. No. 10/776,659
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teach and does not make obvious "means for sending a service unavailable message to said client, in response said client providing support for communications with a different server" as claimed in claim 1.

The Official Action also suggests that the claimed "means for causing said server to maintain support for uncompleted session initiation protocol invites" of claim 1 is accomplished in O'Neill by button 308 which represents the "CANCEL" request for terminating incomplete call requests. It is not at all clear how the "CANCEL" button 308 can provide "means for causing said server to maintain support for uncompleted session initiation protocol invites". None of the buttons 302-310 on the GUI 202, part of "end-system" SIP user agent 200, provide such means as addressed in claim 1 of the present invention. In particular, the "CANCEL" button 308 "represents the "CANCEL" request for terminating incomplete call requests" which has nothing to do with means for causing said server to maintain support for uncompleted session initiation protocol invites. Claims 8 and 15 distinguish from O'Neill in the same manner as claim 1.

As addressed further below, O'Neill does not teach and does not make obvious the system of claim 1 of the present invention. O'Neill does not teach and does not make obvious the method of claim 8 of the present invention. O'Neill also does not teach and does not make obvious the computer-readable storage medium of claim 15 of the present invention. The claims are not taught, are not inherent, and are not obvious in light of O'Neill.

The Official Action recognizes that O'Neill does not teach means for setting a time period for gracefully terminating support for session initiation protocol communications on said server, means for causing said server to maintain support, until no later than the expiration of said time

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Appl. No. 10/776,659
Amdt. dated November 29, 2006
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period for terminating support, for uncompleted session initiation protocol invites accepted by said server before sending said service unavailable message to said client, and means for terminating support for session initiation protocol communications on said server no later than upon expiration of said time period for terminating support. The Official Action suggests that Novetzke addresses these deficiencies.

Novetzke provides a protocol for network, transport, session, and presentation layers of the open systems interconnection model. Novetzke, Abstract. Novetzke describes a time to terminate 53, 54, 55 that allows a grace period for the PC to close out it's session. A session is shown between a PC application and a target. Novetzke, Figs 3-10, and paragraphs [0112] and [0114]. This grace period is operative on a PC not on a server as claimed in claim 1. Providing time to close out a session on a PC is completely different than providing "means for causing said server to maintain support, until no later than the expiration of said time period for terminating support, for uncompleted session initiation protocol invites accepted by said server before sending said service unavailable message to said client" as claimed. Novetzke does not cure these deficiencies of O'Neill.

Since dependent claims 2-7, 9-14, and 16-20 depend from and contain all the limitations of the corresponding base claims, claims 2-7, 9-14, and 16-20 distinguish from the references in the same manner as the base claims and place claims 1-20 in order for allowance.

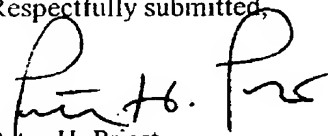
Appl. No. 10/776,659
Amdt. dated November 29, 2006
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Conclusion

All of the presently pending claims, as amended, appearing to define over the applied references, withdrawal of the present rejection and prompt allowance are requested.

Respectfully submitted,



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